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Javier Hernandez

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

<p>Javier Hernandez</p> <p>Plaintiff,</p> <p>v.</p> <p>ARS National Services Inc.</p> <p>Defendant.</p>	<p>Case No.: 2:11-cv-01363-SRB</p> <p>PLAINTIFFS' UNILATERAL NOTICE OF DISMISSAL OF ACTION WITH PREJUDICE</p>
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Plaintiff Javier Hernandez (hereinafter "Plaintiff"), hereby moves to dismiss the entire action with prejudice, and in support of this Motion hereby set forth:

1. The Parties have reached a settlement of this action.
2. The Defendants, without acknowledging liability or wrongdoing, and Plaintiff, without acknowledging liability or wrongdoing, have agreed to fully and completely settle this matter.

1 3. The settlement between Plaintiffs and Defendant is memorialized in a
2 written settlement agreement, now fully executed by Plaintiffs and Defendant.

3 4. Plaintiff represents to the Court that all actions required under the settlement
4 agreement have now been performed. The Parties thus agree that this Court can
5 proceed to dismiss this entire action, with prejudice.

6 WHEREFORE, Plaintiffs thus move and respectfully request that this Court so
7 order forthwith.

8 Respectfully submitted,

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10 Date: November 7, 2011

Hyde & Swigart

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12 By: /s/ David J. McGlothlin
13 David J. McGlothlin
14 Attorneys for the Plaintiff
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